

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	No. 3:12-CR-317-L
	§	
BARRETT LANCASTER BROWN	§	

GOVERNMENT'S MOTION TO PERMIT DEFENSE COUNSEL ACCESS

The United States, by and through the undersigned Assistant United States Attorney, respectfully seeks an order from United States Magistrate Judge Paul D. Stickney, ordering the clerk's office to permit the defendant's current attorneys of record access through their Electronic Court Filing (ECF) accounts to the *Criminal Complaint* (Document 1) filed in the above styled and numbered cause, subject to the restrictions advocated by this Honorable Court during the Initial Appearance, Probable Cause, and Detention hearings on September 13, 2013. Although the *Criminal Complaint* was provided during that hearing to the defendant's prior counsel of record, the defendant's current counsel appears not to have a copy of or ECF access¹ to the *Criminal Complaint*.

¹ The current attorneys substituted in and replaced the Federal Public Defender's office during a hearing before this Honorable Court on May 1, 2013. On July 31, 2013, for the first time, the defense brought to the government's attention by email that it did not have the Criminal Complaint (Document 1) or the Motion for Pretrial Detention (Document 7). The government advised the defense that the Motion to Detain was *not* sealed, and in fact has been posted online. The clerk's office advised the undersigned that the current attorneys do not have access to the document.

Although prior counsel advised the undersigned that he believed the FPD would have provided a copy of its file to the new counsel, and although the current counsel could have filed this motion, the government files this motion for the sake of efficiency. The government requests that the document remain sealed except as to the government and the defendant's current counsel of record in this case.

Respectfully submitted,

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on August 1, 2013, I electronically filed the foregoing document with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing (ECF) system of the court. The ECF system sent a "Notice of Electronic Filing" to Brown's attorneys of record Ahmed Ghappour, Charles Swift, and Marlo Cadeddu, who consented in writing to accept this Notice as service of this document by electronic means.

S/ Candina S. Heath
CANDINA S. HEATH
Assistant United States Attorney